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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 CRAIG S. COLEMAN,

10 Petitioner,

11 v.

12 JEFFERY UTTECHT,

13 Respondent.

NO. C17-358-RAJ

ORDER OF TRANSFER

14 The Court, having reviewed the Report and Recommendation of the Honorable James P.
15 Donohue, United States Magistrate Judge, any objections or responses thereto, and the remaining
16 record, finds and Orders as follows:

- 17 1. The Court ADOPTS the Report and Recommendation.
- 18 2. The proposed petition is construed as a request for permission to file a second or
19 successive petition, and this case is hereby TRANSFERRED to the Ninth Circuit Court of
20 Appeals pursuant to 28 U.S.C. § 1631 and Ninth Circuit Rule 22-3.
- 21 3. Petitioner is advised that this transfer does not of itself constitute compliance with
22 § 2244(b)(3) and Ninth Circuit Rule 22-3; he must still file a motion for leave to proceed in the
23 Court of Appeals and make the showing required by § 2244(b)(2).
- 24

4. The Clerk is directed to close this case and to transfer all original documents to the Ninth Circuit Court of Appeals. The Clerk shall, however, retain a copy of the petition and this Order in the file. The Clerk shall also direct copies of this Order to petitioner and to Judge Donohue.

DATED this 3rd day of May, 2017.

Richard A Jones

The Honorable Richard A. Jones
United States District Judge